

REMARKS

It is respectfully requested that the present Amendment be entered into the Official File in view of the fact that the Amendment automatically places the application in condition for allowance. The claims have been amended to depend on allowable claim 10. Further, the amended claims present no new issues requiring further search or consideration, because claims of the same or similar scope have previously been presented and subsequently examined. Thus, the present Amendment is believed to be in proper form for placing the application in condition for allowance.

In the alternative, if the Examiner continues with the rejections of the present application, it is respectfully requested that the present Amendment be entered for purposes of an Appeal. The Amendment reduces the issues on appeal by reducing the number of claims (e.g., claim 1) and/or overcoming the rejections under 35 U.S.C. § 112, second paragraph, § 112, first paragraph and/or § 103(a). Thus, the issues on appeal would be reduced.

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

In the present Amendment, claims 2, 3, 5, 6, 7, 11 and 15 have been amended. Also, claim 1 has been canceled and claims 8-9 and 12-14 were previously canceled without prejudice or disclaimer of the subject matter contained therein. Further, claim 10 has indicated allowable

subject matter. Finally, claim 7 has been withdrawn from consideration. Thus, claims 2-7, 10, 11 and 15 are pending in the present application.

No new matter has been added with the present amendments. All amendments are such that the dependent claims that previously depended on claim 1 now depend on allowable claim 10. Claim 10 has been amended for clarity by replacing the term "the" with the term "an" in the penultimate clause. Also, the amendment to claim 11 has support in the present specification at page 22, line 20 to page 23, line 12. Also, the amendment to claim 15 has support at page 16, line 3 of the specification. Thus, no new matter has been added.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims. Some previous objections and rejections have been withdrawn (see paragraph 12, page 11 of the Office Action).

Issues Under 35 U.S.C. § 112, Second Paragraph

Claim 11 stands rejected under 35 U.S.C. § 112, second paragraph, as stated in paragraph 4 of the Office Action. Applicants respectfully traverse the rejection.

The Examiner objects to the term "the membrane" in claim 11 for not having sufficient antecedent basis. In response, Applicants have amended claim 11 to recite "a membrane" at the first instance. Thus, there is sufficient antecedent basis for the disputed claim language. Reconsideration and withdrawal of this rejection are respectfully requested.

Issues Under 35 U.S.C. § 112, First Paragraph

Claim 15 stands rejected under 35 U.S.C. § 112, first paragraph, as stated in paragraph 5 of the Office Action. Applicants respectfully traverse the rejection.

The Examiner objects to claim 15 for reciting that the thiol is a mercaptoethanol. The Examiner finds that the term "mercaptoethanol" is new matter and that the specification only supports the term " β -mercaptoethanol."

Applicants respectfully refer the Examiner to claim 15 as presented herein. As also pointed out by the Examiner, the recitation of β -mercaptoethanol has proper support in the present specification. No new matter has been added with this change. Reconsideration and withdrawal of this rejection are respectfully requested.

Issues Under 35 U.S.C. § 103(a)

Claims 1, 2, 3 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pan *et al.* (*J. Biol. Chem.*, Vol. 268, p. 20443-20451 (1993)) in view of Blain *et al.* (*J. Biol. Chem.*, Vol. 272, p. 25863-25872 (1997)), Jeong *et al.* (*BioTechniques*, Vol. 27, p. 1232-1238, (1997)) and Facemyer *et al.* (*Bioconjug. Chem.*, Vol. 3, p. 408-413 (1992)) (see paragraph 6 of the outstanding Office Action).

Also, claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pan *et al.*, Blain *et al.*, Jeong *et al.*, Facemyer *et al.*, in further view of Abo *et al.* '911 (U.S. Patent No. 5,518,911) (see paragraph 7 of the Office Action).

These rejections are respectfully traversed. Reconsideration and withdrawal thereof are

respectfully requested.

Applicants respectfully submit that claim 1 has been canceled, thereby rendering the rejection of this claim moot. With regard to the other disputed claims, Applicants respectfully submit that this rejection has been overcome since these claims now depend on claim 10. Claim 10 is allowable as stated in paragraph 13, page 11 of the Office Action. Thus, Applicants respectfully submit that these rejections have been overcome, and that all claims are now in condition for allowance.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez, Reg. No. 48,501, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/074,041

Docket No.: 0397-0440P

Art Unit 1642


After Final Office Action of November 29, 2006

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 29, 2007

Respectfully submitted,

By

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